



# County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA  
Chief Executive Officer

August 18, 2014

Board of Supervisors  
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First District

MARK RIDLEY-THOMAS  
Second District

ZEV YAROSLAVSKY  
Third District

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Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

To: Supervisor Don Knabe, Chairman  
Supervisor Gloria Molina  
Supervisor Mark Ridley-Thomas  
Supervisor Zev Yaroslavsky  
Supervisor Michael D. Antonovich

From: William T Fujioka  
Chief Executive Officer

A handwritten signature in black ink, appearing to be "W. T. Fujioka", written over a horizontal line.

## SACRAMENTO UPDATE

### Executive Summary

This memorandum contains a report on the following:

- **Change in Position on County-Advocacy Legislation**
  - **County-oppose-unless-amended AB 194 (Campos)** - related to the Brown Act would forbid the legislative body of a local agency at their public meetings from prohibiting or limiting comment by a member of the public wishing to speak before the legislative body's consideration of an item, as well as during consideration, including comment by those that fail to provide advance notice of comment. The Executive Office of the Board and County Counsel note that AB 194 would allow members of the public to speak on the same item more than once and/or without timely notice, thereby allowing for undue disruptions at public meetings. Therefore, unless otherwise directed by the Board, consistent with existing policies to oppose: 1) any abridgement or elimination of the Board of Supervisors' powers and duties unless the change promotes a higher priority of the Board; and 2) legislation that imposes unreasonable burdens or creates unfunded mandates to provide access to records, information managed and maintained by County agencies, **the Sacramento advocates will oppose AB 194.**

*"To Enrich Lives Through Effective And Caring Service"*

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- **Status of County-Advocacy Legislation**
  - **County-supported SB 912 (Mitchell)** – related to food and beverage options in vending machines operated and maintained on State property, passed the Assembly Floor on August 18, 2014, and now proceeds to the Governor.
- **Status of Legislation of County Interest**
  - **SB 718 (Roth)** – related to financial incentives provided under a local government's capital investment incentive program and aerospace tax credits to qualified taxpayers, was signed by the Governor on August 15, 2014.
- **Report on the Joint Legislative Audit Committee** – related to the approval of a request by Assembly Member Bradford for a State audit of the Coastal Improvement Fund.

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#### **Change in Position on County-Advocacy Legislation**

**County-oppose-unless-amended AB 194 (Campos)**, which as amended on July 1, 2014, would amend the Brown Act to forbid the legislative body of a local agency at their public meetings from prohibiting or limiting comment by a member of the public wishing to speak before the legislative body's consideration of an item, as well as during consideration, including comment by those that fail to provide advance notice of comment.

The Executive Office of the Board and County Counsel note that, as amended, AB 194 would allow members of the public to speak on the same item more than once and/or without timely notice, thereby allowing for undue disruptions at public meetings. The County proposed amendments, which would have clarified that: 1) members of the public shall be provided the opportunity to comment on an item on the agenda during the legislative body's consideration of the item; and 2) members of the public should provide notice of their desire to comment any time prior to the legislative body's consideration of the item; however, these amendments were not taken by the author. Therefore, unless otherwise directed by the Board, consistent with existing policies to oppose: 1) any abridgement or elimination of the Board of Supervisors' powers and duties unless the change promotes a higher priority of the

Board; and 2) legislation that imposes unreasonable burdens or creates unfunded mandates to provide access to records, information managed and maintained by County agencies, **the Sacramento advocates will oppose AB 194.**

This measure is currently on the Senate Floor.

#### **Status of County-Advocacy Legislation**

**County-supported SB 912 (Mitchell)**, which as amended on April 21, 2014, would make permanent provisions in current State law which require vending machine operators to provide food and beverage options that meet accepted nutritional guidelines in vending machines operated and maintained on State property, passed the Assembly Floor by a vote of 54 to 11 on August 18, 2014. This measure now proceeds to the Governor.

#### **Status of Legislation of County Interest**

**SB 718 (Roth)**, which as amended on August 7, 2014, would expand eligibility for financial incentives provided under a local government's capital investment incentive program, and aerospace tax credits to qualified taxpayers, was signed by the Governor on August 15, 2014, and it is Chapter 189, Statutes of 2014. SB 718 is an urgency measure and becomes effective immediately.

According to the author of SB 718, this measure's focus on aerospace is an opportunity to position the State, once again, as a national leader in supporting the aerospace industry by growing the industry by approximately 1,100 direct jobs and 5,500 indirect or induced jobs. This measure is similar to AB 2389 (Chapter 116, Statutes of 2014) which temporarily modifies the State's capital investment incentive program to provide tax incentives and credits for contractors (whether they are subcontractors or prime contractors) of the United States Air Force that have been awarded a contract to manufacture property for use in, or as component of, a new advanced strategic aircraft, and is intended to ensure competitive neutrality between competing bidders for this project.

#### **Joint Legislative Audit Committee and the County-Administered Coastal Improvement Fund**

On August 14, 2014, the Joint Legislative Audit Committee approved, on consent, a request by Assembly Member Steven Bradford to audit the Coastal Improvement Fund (CIF) due to allegations brought forward by members of the public that the CIF was being mismanaged and that insufficient funds were being contributed and deposited into the fund.

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The Coastal Improvement Fund was established in 1996 by joint agreement between the County and the California Coastal Commission to mitigate the impact of development and coastal access in Marina del Rey. Under the terms of the joint agreement, developers in Marina del Rey are required to contribute \$600 for every new residential unit proposed for development, with the monies being deposited into an interest-bearing account prior to the issuance of development permits. Per the County Code, the CIF is jointly administered by the Department of Beaches and Harbors (DBH) and the Department of Regional Planning; however, to ensure accountability, DBH has been delegated sole responsibility for maintaining the account.

As part of the audit, the State Auditor will provide independently developed and verified information related to the CIF. Specifically, the audit will include, but not be limited to: 1) a review and evaluation of the laws, rules, and regulations significant to the audit objectives; 2) a review and assessment of the Department of Regional Planning's policies and procedures regarding how it approves development requests and collects coastal improvement fees; and 3) an assessment of the total number of residential building permits issued and the fund's total revenues, expenditures, and fund balances for at least the past three years.

There was no indication as to when this audit will commence and/or how long it will take to complete.

We will continue to keep you advised.

WTF:RA  
MR:VE:IGEA:lm

c: All Department Heads  
Legislative Strategist